

BEFORE THE FISH, WILDLIFE AND PARKS COMMISSION
OF THE STATE OF MONTANA

In the matter of the repeal of a)	NOTICE OF REPEAL OF A
temporary emergency rule closing)	TEMPORARY EMERGENCY RULE
Placid Lake, Missoula County, MT)	

TO: All Concerned Persons

1. On August 10, 2007, the Fish, Wildlife and Parks Commission (commission) adopted a temporary emergency rule closing Placid Lake and Seeley Lake in Missoula County, MT, published at page 1183 of the 2007 Montana Administrative Register, Issue No. 16. There was an immediate need for a source of water for aircraft dropping water on the Jocko Lakes fires. This situation constituted an imminent peril to the public health, safety, and welfare of anyone using the lakes. Within the rule, the commission delegated its authority to the Department of Fish, Wildlife and Parks to determine, in consultation with the commissioner in the region, when the lakes were again safe for public use.

2. On August 23, 2007, the temporary emergency rule was amended to open Seeley Lake but keep Placid Lake closed. This Notice is published at page 1315 of this issue of the Montana Administrative Register.

3. Since firefighting aircraft have stopped loading water in Placid Lake, MAR Notice No. 12-335 is no longer necessary. As this situation no longer constitutes an imminent peril to public health, safety, and welfare, the commission is repealing the rule. The repealing of the rule will be sent as a press release to newspapers throughout the state. Also, signs informing the public of the closure will be removed at access points. The repeal notice will be sent to interested parties, and published in Issue No. 17 of the 2007 Montana Administrative Register.

4. The repealing of the temporary emergency rule is effective August 28, 2007.

5. The bill sponsor notice requirements of 2-4-302, MCA, do not apply.

/s/ Christian A. Smith
Christian A. Smith,
Chief of Staff
Department of Fish, Wildlife and Parks
Acting Secretary
Fish, Wildlife and Parks Commission

/s/ Robert N. Lane
Robert N. Lane
Rule Reviewer

Certified to the Secretary of State August 28, 2007.